

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

IN RE: REALPAGE, INC., RENTAL ) Case No. 3:23-md-3071  
SOFTWARE ANTITRUST LITIGATION ) MDL No. 3071  
(NO. II) )  
 ) JURY DEMAND  
 )  
 ) Chief Judge Waverly D. Crenshaw, Jr.  
 )  
 ) This Document Relates to:  
 ) ALL CASES  
)

**JOINT MOTION FOR DISCOVERY CONFERENCE ON DEPOSITION LIMITS AND  
CERTIFICATION OF COMPLIANCE WITH COURT'S DISCOVERY DISPUTE  
PROCEDURES**

In Part I.A of the Court's February 16, 2024, Order on Deposition Protocol (Dkt. 816), the Court directed the parties to confer regarding the limits on depositions and to submit a supplemental order within 60 days of entry (*i.e.*, by April 16, 2024). On April 16, 2024, the Court granted the parties an extension until April 30, 2024, either to submit a proposed stipulated order or to inform the Court that the parties would be submitting a joint statement of dispute. (Dkt. 889.) On April 30, 2024, the Court granted the parties an additional extension until May 8, 2024. (Dkt. 906). The parties have been unable to reach agreement on certain provisions in the proposed deposition limits order and accordingly request a discovery conference. The parties' Joint Discovery Dispute Statement, identifying the specific issues in dispute, is attached as **Exhibit 1** hereto. A proposed order and competing provisions (where applicable) is attached as **Exhibit 2**.

In compliance with the Court's discovery dispute resolution procedures (Dkt. 854), the parties certify that they held an in-person (face-to-face) conference on **April 29, 2024**, in Nashville

at the offices of Herzfeld, Suetholz, Gastel, Leniski & Wall PLLC, in which the following attorneys participated:

- For Plaintiffs: Stacey Slaughter, Swathi Bojedla and Tricia Herzfeld
- For Defendants: Joshua Burgener, Greg Casas, Tom Dundon, Ryan Loofbourrow, Matt Schock, Maggie Siller, Chris Thorsen, Chris Whittaker, Jessie Zeigler and Stephen Zralek.

The in-person conferral lasted one hour. In advance of the in-person conferral, in addition to discussions the parties had on these topics during the negotiations of the original deposition protocol (Dkt. 816), the parties had also conferred as follows:

- On April 11 in person for about 40 minutes;
- On April 15 via teleconference for 23 minutes;
- On April 18 via Zoom for about 30 minutes;
- On April 19 via Zoom for about 30 minutes;
- On April 23 via Zoom for about 30 minutes; and
- Various email correspondence.

Following the in-person meet and confer, the parties also conferred as follows:

- On May 2 via Zoom for about 30 minutes.

The parties' positions on disputed issues are set forth in the accompanying Joint Discovery Dispute Statement. The parties respectfully request a discovery dispute conference at a date and time convenient for the Court.

Dated: May 8, 2024

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## CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Tricia R. Herzfeld  
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